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Technical assistance and capacity-building

Technical assistance to support inclusive and participatory development and poverty reduction at the national level

Report of the United Nations High Commissioner for Human Rights

Summary

The present report is submitted pursuant to Human Rights Council resolution 27/20, in which the Council requested the High Commissioner for Human Rights to prepare a report on the technical assistance provided by his Office to support inclusive and participatory development and poverty reduction at the national level, for submission at its twenty-eighth session.

The report provides examples illustrating the type of technical assistance and advisory services provided by the Office of the United Nations High Commissioner for Human Rights, alone or with other United Nations entities, to promote inclusive and participatory development and poverty reduction.

The report highlights methodologies, good practices and lessons learned that have been gathered by the Office in the field and at headquarters.

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Contents

		Paragraphs	*Page*
I.	Introduction and methodology	1–4	3
II.	Human rights-based framework for technical cooperation, development and poverty reduction	5–10	3
III.	National experiences of support for inclusive and participatory development and poverty eradication	11–68	5
	A. Legislation, plans and policies for inclusive poverty reduction and development	11–38	5
	B. Empowerment for free, informed and meaningful participation in public decision-making	39–62	11
	C. Transparency, accountability and access to information	63–68	15
IV.	Lessons learned, challenges and the way forward	69–73	16

I. Introduction and methodology

1. The present report is submitted pursuant to Human Rights Council resolution 27/20, in which the Council requested the United Nations High Commissioner for Human Rights to prepare a report on the technical assistance provided by his Office to support inclusive and participatory development and poverty reduction at the national level, for submission its twenty-eighth session. The present report will serve as a basis for a thematic panel discussion to be held at the twenty-eighth session of the Council under item 10 of its agenda.

2. In its resolution 27/20, the Council reaffirmed that each country must take primary responsibility for its own development, and emphasized the role of national policies and strategies in the achievement of sustainable development and poverty eradication. It encouraged States to ensure that such policies and strategies are devised and carried out in a non-discriminatory, participatory, transparent and accountable manner, in order to promote the empowerment of the poorest and most disadvantaged and the realization of their rights. It emphasized the need for States to engage with and promote free, informed and meaningful participation of all relevant stakeholders, especially in decision-making that directly affects their lives. The Council also encouraged States' action to ensure transparency and accountability by providing accessible and adequate information.

3. The present report covers a period of five years (2009–2014), as a reasonable time frame within which incipient results can be provided. It illustrates the type of work carried out under the technical cooperation programme of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in response to requests and expressions of interest from Member States. It presents initiatives that have shown good potential in promoting inclusive and participatory policies and strategies for development and poverty reduction, in line with the priority areas identified by the Human Rights Council in resolution 27/20. The report also includes a number of joint initiatives carried out by OHCHR in cooperation with other United Nations entities.

4. The report highlights methodologies, good practices and lessons learned gathered by OHCHR in the field and at headquarters. Reference is also made to the OHCHR report on technical assistance and capacity-building options for integrating human rights into national policies (A/HRC/27/41), which provides an overview of technical assistance and capacity-building options for integrating human rights into national policies and includes some examples with regard to strengthening participation and social inclusion, which are developed further in the present report.

II. Human rights-based framework for technical cooperation, development and poverty reduction

5. Lack of economic resources is seldom the only or even the most decisive cause of poverty, marginalization and social exclusion. From a human rights perspective, poverty is understood as the denial of a person's capacity to realize and enjoy a range of key rights, such as the rights to food, health, education, security, access to justice and political participation. International human rights law also calls for more than mere equality of opportunity without regard to the underlying structures that perpetuate inequality, social exclusion and poverty. What is required under the international human rights framework in order to achieve de facto equality for all is the dismantling of barriers to social, economic and political freedoms, and the establishment of special measures to end discrimination.

OHCHR work to support inclusive development and poverty reduction follows a human rights-based approach, which fully recognizes the multidimensional nature of poverty.

6. Discrimination is generally deeply embedded in societal structures and makes certain groups of people more vulnerable to poverty and exclusion. For instance, women are more likely to find themselves in situations of poverty as a result of gender-based discrimination. Such discrimination, which persists in all regions of the world, is at the root of women's disproportionate burden of domestic and care work, women getting low-paid, precarious jobs, the lack of adequate attention paid to women's specific health needs, and widespread violence against women, among other rights violations. Those violations reflect the multidimensional nature of poverty.

7. Under international human rights law, all individuals have the right to access information freely and to participate in decisions that affect them. In order to assume that active role, they need to be able to exercise their civil and political rights in an effective and meaningful way. Experience has shown that the active participation of all sectors of society in national efforts aimed at development and poverty reduction significantly enhances the likelihood of sustainable results being attained. For such approaches to achieve their full potential, they should be used at all stages of the development process, from conceptualization through implementation, monitoring and evaluation. To be effective, development and poverty reduction strategies also need to empower people, especially the most marginalized and vulnerable, to claim their rights, and develop the capacity of duty-bearers to meet their obligations. That includes building strong judicial, political and administrative mechanisms for accountability and service delivery.

8. Promoting the participation of rights-holders, especially women and individuals from discriminated groups, in decision-making processes is one of the expected accomplishments set out in the OHCHR Management Plan 2014–2017, which guides the work of OHCHR at the country, regional and global levels. The OHCHR technical cooperation programme is intended to help States to identify and address gaps in knowledge, capacity and accountability that obstruct the protection of all human rights. Throughout its work, OHCHR supports States in meeting their international human rights obligations, including implementing the recommendations of the United Nations human rights mechanisms — the treaty bodies, special procedures and the universal periodic review. To that end, OHCHR works directly with governments, at their request, and actively cooperates with all relevant national stakeholders, including ministries, parliaments, the judiciary, transitional justice mechanisms, security institutions, national human rights institutions and civil society, as well as statistical and information systems. OHCHR also supports mechanisms for the protection of vulnerable groups, including equality bodies, and cooperates with development actors, civil society and community-based organizations to enable them to assume their roles as informed and effective participants at all stages of national development processes. OHCHR-led projects and initiatives in the context of national development and poverty reduction include human rights assessments, providing technical advice on institution-building, strengthening legislation and policies, promoting effective and meaningful participation, training and capacity-building, as well as sharing good practices among States.

9. At the country level, OHCHR supports States to ensure that their national development and poverty reduction strategies are in line with their human rights obligations, and fully incorporate the basic principles of non-discrimination, participation and accountability and the rule of law. In many cases, United Nations country teams or individual United Nations entities can play an effective role to support the integration of human rights into national development policies. In that regard, OHCHR is active in mainstreaming human rights within United Nations development policies, operational activities and assistance frameworks, including through strengthening the United Nations

leadership on human rights at the country level and promoting the application of a coherent human rights-based approach to programming. OHCHR also works with regional and subregional organizations to strengthen regional arrangements for human rights promotion and protection, including through the exchange of good practices and experiences of human rights-based, participatory and inclusive strategies for development and poverty reduction.

10. The Office receives strategic policy guidance for its technical cooperation work from the Board of Trustees that oversees the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and the Voluntary Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review — two key financial sources of the technical assistance provided by OHCHR. As part of its advisory role, the Board has identified several key elements for effective technical cooperation, as indicated in the report of the Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights (A/HRC/26/51, para. 27). Many of those elements are reflected in the practices highlighted in the present report.

III. National experiences of support for inclusive and participatory development and poverty eradication

A. Legislation, plans and policies for inclusive poverty reduction and development

Colombia: human rights support for inclusive development and poverty reduction

11. In November 2011, the Government of Colombia established a new administrative Department for Social Prosperity (DSP) as the central authority responsible for developing and implementing policies aimed at overcoming poverty and promoting the social inclusion of people in vulnerable situations. At the request of the Department, OHCHR has been supporting its work by conducting systematic monitoring, evaluation and advocacy to strengthen the integration of human rights standards into the implementation of public policies. OHCHR has paid particular attention to two key social protection programmes: "Más Familias en Acción", which provides direct monetary transfers to families, conditional upon children's enrolment in school and regular medical check-ups, and "Red Unidos", which helps families living in extreme poverty through individualized support and follow-up.

12. In February 2014, the OHCHR office in Colombia presented DSP with its first report on the realization of the right to an adequate standard of living, with strategic recommendations on how to improve the impact of the DSP programmes. That included strengthening the rights of women covered by the "Más Familias en Acción" programme; removing barriers to health care for children and barriers to education for children with disabilities; addressing obstacles in the application of International Labour Organization (ILO) Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries; improving coordination among government entities; addressing the situation of people living in extreme poverty; and strengthening access to adequate housing. DSP established a working group with officials from the regions concerned to implement OHCHR recommendations.

13. Since the submission of its report to DSP, OHCHR has continued to work towards the empowerment of vulnerable communities in the most marginalized parts of the country. That has included, inter alia, informing communities about the DSP programmes, assisting

them in evaluating the implementation of the recommendations, and supporting them in claiming their rights before the Department.

Europe: promoting the independence of persons with disabilities and family-type care for children

14. In 2014, the OHCHR Regional Office for Europe continued engaging with the European Union and its Member States through the European Expert Group on the Transition from Institutional to Community-based Care. That coalition of international organizations and European civil society organizations is dedicated to upholding the human rights of vulnerable persons who are in care institutions, or are at risk of being placed in institutional care. In that context, OHCHR is working with other United Nations entities, especially the United Nations Children's Fund, to contribute to important policy changes at the European Union level, such as adjustments in European Union structural and investment funds regulations. That has increased the level of compliance of European Union member States with international human rights standards, including the Convention on the Rights of Persons with Disabilities.

15. With the financial and political support of the European Commission, national consultations on community-based care have been organized in Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Serbia, Slovakia and Slovenia, involving a broad range of stakeholders, such as relevant ministries, national human rights institutions, European Union officials and national civil society organizations representing rights-holders. In all of those countries, institutionalization is the predominant form of care, and wide-ranging reforms will be required to bring national practice into line with States' obligations under the Convention on the Rights of Persons with Disabilities and the Convention on the Rights of the Child. For the reforms to be effective, the full involvement of rights-holders and civil society will be required at all stages of the process. Capacity-building of all actors — government officials, who often have limited expertise in that technical area, but also civil society representatives, who need to be empowered — is essential for the success of the reform process. In that regard, the national consultations initiated by OHCHR have been useful in ensuring the engagement of all relevant actors.

Kenya: integration of human rights and gender into the national development agenda

16. Kenya Vision 2030 is the main national development framework and is aimed at transforming Kenya into a newly industrialized middle-income country that provides a high quality of life for all its citizens by 2030. It also sets out to create a cohesive, equitable and just society based on democratic principles and grounded in the country's rich and diverse cultures. Kenya Vision 2030 is to be implemented through successive five-year medium-term plans, which define sector-specific priorities, key policy actions and reform programmes for government agents at different levels.

17. In 2012, the Government of Kenya invited the United Nations to provide inputs for the preparation of the second medium-term plan. The United Nations participated in several of the sector-specific working groups set up to support the development of the plan. OHCHR, through the Human Rights Adviser to the United Nations country team, took the lead in providing human rights guidance on the process, notably with regard to governance, the rule of law, security, the situation of vulnerable groups, gender and youth.

18. An important element of the preparation of the second medium-term plan consisted of developing the capacity of key stakeholders to engage effectively in the planning process. OHCHR supported that effort by training government representatives and United Nations staff members on human rights-based approaches. In addition, it trained focal points from the Kenya National Commission on Human Rights who were designated to each sector-specific working group. With OHCHR assistance, a set of human rights-based

indicators was developed to enable effective monitoring and ensure accountability in the implementation of the plan. That work resulted in the adoption of a national indicators handbook in November 2014.

Kyrgyzstan: building capacity for the promotion and protection of the right to adequate housing

19. In Kyrgyzstan, the OHCHR Regional Office for Central Asia provided technical assistance in the preparation of the Housing Code that was adopted in May 2013. OHCHR organized three parliamentary discussions on the draft code, which were attended by civil society and representatives of housing associations. The discussions were instrumental in raising awareness among relevant Parliamentary committees about the importance of human rights considerations for the drafting of housing legislation. The discussions enabled parliamentarians to hear independent views, thereby promoting transparency and accountability in the legislative process.

20. Throughout the legislative process, OHCHR provided human rights advice and technical assistance to the drafters. The final text reflects many important aspects of the right to adequate housing, as set out in relevant international norms and standards. It defines the roles and responsibilities of the national and local self-government bodies in relation to the right to housing and obliges the Government to create a national housing fund to address resource constraints.

21. The OHCHR Regional Office also played a key role in mobilizing joint advocacy by the donor community on the need for a human rights-based approach to urban planning in the context of development-based evictions, including in the south of Kyrgyzstan. Those efforts were successful in gaining the support of the Mayor of Osh, who publicly committed to taking human rights into account when implementing the Master Plan in Osh. In July 2014, on the basis of OHCHR advocacy, the President of Kyrgyzstan signed a law that obliged local authorities to post adopted master plans of all cities, towns and villages on their websites, and to display them in their offices for public reference.

22. The Regional Office also provided technical assistance to the Government in drafting the National Strategy on Sustainable Development 2013–2017. The Strategy goes some way towards embracing the principle of participatory development and emphasizes the importance of upholding the rights of all minorities in the development process.

Republic of Moldova: strengthening the national framework for social inclusion and anti-discrimination

23. Through the Human Rights Adviser to the United Nations country team, OHCHR support to the Government of the Republic of Moldova on anti-discrimination legislation began in 2008 and has contributed to the development of critical laws, translating the international prohibition against discrimination into domestic legislation. OHCHR thus provided advice for the development of the Law on Ensuring Equality and to the subsequent establishment of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality ("Equality Council"). In May 2013, OHCHR advocacy led the Republic of Moldova to accept the competence of the Committee on the Elimination of Racial Discrimination to review individual complaints and petitions. OHCHR also provided advice on the development of the Law on Roma Community Mediators, which was adopted on 22 March 2013 in order to promote the social inclusion of the Roma, in line with the recommendations of the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights. OHCHR also assisted in the development of the Law on the Social Inclusion of Persons with Disabilities, adopted in March 2012, which requires equal legal capacity and reasonable accommodation for persons with disabilities.

24. OHCHR has provided extensive support to the Equality Council, including in the development of its strategic plan and operational structure. In that context, OHCHR held training courses on national and international anti-discrimination standards and on the freedom of religion and belief legislation in place in the Republic of Moldova. OHCHR also organized further training for judges, prosecutors, lawyers and members of the Equality Council on the Convention on the Rights of Persons with Disabilities. The awareness-raising campaign was well received and an increasing number of cases relating to gender equality, discrimination and hate speech are now being adjudicated by Moldovan courts.

Paraguay: capacity development for inclusive and rights-based poverty reduction

25. In 2013/2014, at the Government's request, OHCHR, through its Human Rights Adviser, supported the work of the Secretariat for Social Action to integrate human rights into its policymaking and implementation. The eradication of poverty is a government priority and the Secretariat is the main implementing agency for the relevant policies, working directly with communities in rural areas and among indigenous peoples.

26. OHCHR technical support has allowed the Secretariat for Social Action to revise its institutional framework, so as to integrate human rights into its policies, methodologies and communication materials, including its website. OHCHR also contributed by running an intensive training programme and assisting in the development of a special protocol on indigenous peoples' rights and their participation in decision-making, following consultations facilitated by OHCHR with indigenous peoples. It will be the first protocol of its kind in the region directly addressing key issues relating to consultation and participation.

27. The project has benefited from continuous political support from the highest levels, and has been successful in gradually integrating a stronger human rights perspective into the way the Secretariat carries out its functions. Work is now under way to introduce a human rights indicators framework, based on detailed disaggregated data, for the monitoring of poverty reduction programmes. In 2015, community leaders and families will also be trained in how to take a more active and informed role in decision-making and policymaking that affect their lives. Further support is also in the pipeline to mainstream gender into the work programme in close cooperation with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women).

State of Palestine: an inclusive and rights-based framework for development

28. In 2011, the Ministry of Justice of the Palestinian National Authority requested OHCHR assistance in developing a rights-based framework for the national development agenda. Broad-based national consultations, aimed at identifying rights-based targets for prioritization in the national development plan that was being drafted in parallel, were launched at a large public conference in Ramallah on 10 December 2012. In follow-up to the conference, a team of Palestinian consultants, with OHCHR support, analysed development gaps and needs from a human rights perspective, including through broad-based consultations and validation workshops, which provided input from a range of stakeholders, including government officials and representatives of the Palestinian human rights institution, civil society, community-based organizations, labour and employers' unions, academia and affected groups, as well as United Nations entities and the diplomatic community. The result was a comprehensive guidance document setting out ways to incorporate human rights more effectively into the Palestinian National Development Plan 2014–2016 and other future development and recovery frameworks.

29. The guidance document was finalized by the Ministry of Justice, the Ministry of Planning and Administrative Development and OHCHR in January 2014, and launched at a

formal signing ceremony, confirming the Government's commitment to the process. The majority of recommendations set out in the guidance document were integrated into the Palestinian National Development Plan in February 2014, providing a strong human rights-based framework for the four sectors covered by the Plan: social development, economic development, infrastructure and governance.

30. The accession of the State of Palestine to seven of the core international human rights treaties in April 2014 has provided an opportunity for OHCHR to build on the work described above with the Palestinian authorities, as well as the Palestinian Independent Commission for Human Rights and civil society, so that the political commitments contained in the Palestinian National Development Plan are implemented in accordance with the legal obligations contained in the treaties. Broad-based consultations are planned as part of the Government's reporting exercise.

Sierra Leone: responding to the Ebola virus disease outbreak

31. In May 2014, Sierra Leone experienced the start of its first outbreak of the Ebola virus disease. In addition to the death and human suffering caused by the epidemic, the knock-on effects will be devastating for the development of Sierra Leone in the coming years and may erode the gains made since the end of the war. The consequences are not limited to the health sector, as large parts of the country's economy are being severely disrupted by the epidemic. Schools have also been closed following the declaration of a state of emergency, which seeks to control the spread of the disease by limiting public gatherings and freedom of movement. Likewise, courts are reportedly not processing criminal cases. That has led to a steady increase in the prison population, which besides increasing health risks among prisoners, fuels the potential for disturbances inside detention facilities.

32. Recognizing the Government's role in bringing Ebola virus disease under control and providing emergency humanitarian assistance, the United Nations in Sierra Leone has significantly strengthened its response in support of the Government's ongoing efforts. Since his arrival in April 2014, the Human Rights Adviser to the United Nations country team[1] has provided substantive guidance to alert policymakers and the humanitarian sector to the serious human rights implications and concerns related to the outbreak, especially regarding vulnerable and disadvantaged groups.

33. As the combined efforts of the Government and the international community gather pace, it is essential that a human rights approach be continuously applied to guide the work of the United Nations and the Human Rights Commission of Sierra Leone, to inform advocacy by relevant stakeholders and to serve as an early warning system for the United Nations and the Government. The Human Rights Adviser is also working to promote increased participation and inclusiveness in the response to the outbreak. It will be crucial to ensure that the impending recovery and reconstruction effort is conducted in a transparent and accountable manner, in accordance with a human rights-based approach.

West Africa: integration of women's rights and empowerment in national policies

34. Over the past several years, the OHCHR Regional Office for West Africa has continued to promote the integration of women's rights into the development and implementation of national policies and strategies in the region. In Burkina Faso, the Gambia and Senegal, national action plans have been adopted for the implementation of

[1] The Human Rights Adviser was deployed under the United Nations Development Group human rights mainstreaming mechanism.

Security Council resolutions 1325 (2000) on women, peace and security, and 1820 (2008) on sexual violence in conflicts. OHCHR provided financial and technical support for the development, validation and publication of the action plans, and contributed to building the capacity of stakeholders to ensure implementation. In the Gambia, OHCHR supported the implementation of the national action plan by providing technical and financial assistance, including training of trainers workshops on human rights and gender-based violence for law enforcement officials.

35. Progress has also been made regarding the harmonization of national laws with international human rights standards. In Senegal, OHCHR provided advice on the development of a law allowing women to pass on their nationality to their children or spouse. The Office also worked with civil society to raise public awareness of the law after its adoption in 2013. In 2013, OHCHR assisted the Government to prepare its report under the Convention on the Elimination of All Forms of Discrimination against Women. During the elections held in 2012 and 2014, the Regional Office supported civil society in monitoring the implementation of the 2010 parity law on the participation of women in national politics. In 2014, OHCHR supported the process of preparing a manual on gender and human rights for parliamentarians, and undertook capacity-building for women parliamentarians.

Yemen: inclusive and participatory management of land disputes

36. Since May 2013, OHCHR and the United Nations Development Programme (UNDP) in Yemen have been engaged in a joint project on transitional justice in support of the Commission to Consider and Address Land Issues (the Land Commission) and the Commission on Forcibly Dismissed Employees for Southern Yemen (the Dismissals Commission). Both commissions were established in 2013 as confidence-building measures to address the root causes of grievances held by people in southern Yemen following the 1994 war. A special Compensation Fund has also been established for cases of land confiscation and alleged summary dismissal of civil security and military personnel.

37. So far, the Land Commission has received more than 100,000 individual claims concerning illegal confiscations, of which 30,000 had been resolved at the time of writing. The Dismissals Commission has received over 100,000 applications, of which 20,000 had been processed by December 2014. The commissions and the compensation fund suffer from chronic financial and staff shortages, and weak political support.

38. The joint OHCHR-UNDP project has promoted transparency and accountability, including through a strategy to allow civil society to monitor the work of the commissions and the implementation of their recommendations. OHCHR and UNDP organized study visits for the staff of the commissions to Germany and Peru in order to expose them to experiences and good practices used to resolve similar cases and apply high standards of transparency and accountability. The project supported the establishment of interactive web portals for both commissions, enabling individuals to monitor progress in the processing of their cases. Throughout the project, there has also been regular cooperation with local media to encourage press coverage, interviews with decision-makers and investigative journalism. The decisions of the two commissions have yet to be implemented. OHCHR and UNDP will continue their advocacy with international and local partners to keep the issue at the centre of the Government's political and development agenda.

B. Empowerment for free, informed and meaningful participation in public decision-making

Cambodia: building local capacities in regard to land and housing rights

39. The OHCHR office in Cambodia has continued its work to build greater human rights awareness among indigenous communities, particularly regarding the freedoms of expression and peaceful assembly, as well as land and housing rights. OHCHR monitored ongoing and unresolved disputes between indigenous communities, authorities and businesses, and engaged in the facilitation of dialogue, court monitoring and the provision of legal and procedural advice. In 2013 and 2014, OHCHR also provided support to 11 indigenous communities to complete their registration as legal entities and submit their applications for collective land titles. As a result, those communities are now in a stronger position to defend and claim their rights to land and livelihood.

40. OHCHR Cambodia also produced publications on land and housing rights, as well as a picture book for indigenous peoples on business and human rights, prepared in cooperation with an indigenous peoples' network organization. The aim is to gradually strengthen the role of indigenous communities in national protection systems and, through increased knowledge and understanding, to allow them to meaningfully participate in decisions that affect them. To that end, since 2013 OHCHR has been providing training for civil society organizations and communities on monitoring economic, social and cultural rights, and on implementation of the Guiding Principles on Business and Human Rights. Information on business and human rights was also shared with the Government's Anti-Corruption Unit, donors, businesses and professional associations.

41. OHCHR continued to monitor legislative developments that could affect indigenous peoples' land and housing rights. That included support for the consultation process for a bill on environmental impact assessments, led by the Ministry of the Environment. OHCHR facilitated participation in the consultation process by indigenous leaders and other representatives of communities affected by development projects and involved in land disputes. The Office also provided advice on the harmonization of the draft bill with international standards.

42. OHCHR has also been engaged in promoting and protecting the exercise of freedom of expression and peaceful assembly. In 2013, it organized five training sessions on the implementation of the Law on Peaceful Demonstrations and international standards on freedom of expression and assembly. The training outlined the respective responsibilities of organizers of demonstrations and authorities, and gave guidance to participants on how to conduct demonstrations in accordance with the law. In addition, OHCHR trained staff of non-governmental organizations on how to monitor the right to peaceful assembly. In cooperation with the Ministry of the Interior, OHCHR also produced a laminated card outlining the respective roles and responsibilities of organizers of demonstrations and local authorities. The card is being disseminated among government officials, civil society and the general public. In addition, OHCHR produced a series of radio broadcasts in which local organizations participated and discussed issues relating to freedom of expression and peaceful assembly.

Colombia: promoting the right of indigenous peoples to prior, free and informed consultation

43. In the context of increasing demands from communities of African descent and indigenous peoples for their rights to prior consultation and free and informed consent to be recognized, OHCHR developed a project to hold broad-based consultations with the communities concerned in the course of 2012. OHCHR invited indigenous, Afro-

Colombian, Palenquero, Raizal and Roma peoples to be part of the process. It included a series of 82 regional dialogues organized and facilitated by OHCHR across the country. About 3,000 delegates from the regions of the Caribbean, Pacific, Orinoco, Amazonia and inter-Andean valleys participated in the process, which was instrumental in mobilizing national consensus on the importance of prior, free and informed consultation.

44. The observations and findings that came out of the process were compiled and documented by OHCHR in a report entitled "Voices and key opinions from the ethnic peoples of Colombia on the right to consultation and to free, prior and informed consent". OHCHR subsequently engaged with the Ministry of the Interior to encourage the adoption of protocols that ensure the right to participation, consultation and free and informed consent through culturally sensitive procedures.

45. As an important part of that process, some ethnic groups, including the indigenous Wayuu and Arhuaco peoples and the communities of African descent of La Toma, were provided with advice to increase their capacity to claim their rights and participate in decision-making. OHCHR also held training sessions on the right to prior consultation for staff of the Ministry of the Interior, as well as municipal and regional authorities. Training on indigenous people's rights was also provided to civil servants, civil society representatives and students.

Guatemala: strengthening capacity to guarantee the fulfilment of agricultural workers' labour rights

46. In Guatemala, the OHCHR country office provided technical assistance to the Ministry of Labour in the preparation of a handbook that could be used to verify the fulfilment of agricultural workers' labour rights. It also promoted and supported the creation of a working group on agricultural workers' human rights, composed of peasant workers, grass-roots organizations and labour unions. A participatory methodology proposed by OHCHR was adopted by the General Inspectorate of the Ministry of Labour to launch the process of drafting the handbook. In 2012, four regional workshops were organized with the participation of 90 labour inspectors, who shared their experience and discussed the main challenges to respecting agricultural workers' labour rights in the country. OHCHR, in coordination with the ILO, provided inputs on the international human rights standards and supported the process of designing and drafting the handbook, which was also informed by issues raised by the working group. In 2014, the working group produced a report on the situation of agricultural workers in Guatemala and urged the Ministry of Labour to discuss some of the key human rights challenges identified in the report.

47. In 2014, the Minister of Labour was finalizing the approval process for the publication of the handbook as part of a general operations protocol for the General Inspectorate. The handbook reflects many important aspects of labour rights, such as the prohibition of child labour and forced labour, and of discrimination against women. The handbook will be a practical tool for labour inspectors to address the critical human rights situation that agricultural workers are facing in some regions of Guatemala.

Mexico: increasing participation through action plans

48. Since 2006, the OHCHR office in Mexico has been supporting the design of human rights plans, notably in partnership with the Directorate-General for Human Rights Public Policy of the Ministry of the Interior (Secretaría de Gobernación) at the federal level, and line ministries or human rights offices at state level. Since 2006, some 15 such plans have been developed. OHCHR assistance in supporting State efforts to secure the participation of civil society organizations and marginalized groups has been especially appreciated. Women's rights organizations were actively involved in the development of those plans, all

of which integrate a strong gender framework. One of the main objectives of OHCHR support to the federal plan was to strengthen cooperation between the authorities and civil society. Building on that collaborative effort, the Office has contributed to the elaboration of one national human rights assessment, three national human rights plans and several local human rights programmes.

49. The National Human Rights Programme 2014–2018, which was presented by the Federal Government on 25 June 2014, is the first programme of its kind in the country to explicitly adopt the OHCHR human rights indicators methodology, as well as the inter-American system indicators on economic, social and cultural rights, to measure the full realization of human rights. The next step will be to help start the development of human rights programmes at the level of the states.

Nepal: addressing the equality imperative

50. In September 2012, the Government of Nepal and the United Nations country team signed the United Nations Development Assistance Framework (UNDAF) for the period 2013–2017. The strategic framework for the United Nations work in Nepal in those five years was prepared following human rights-based approach methodologies and has been acclaimed as a good example of an UNDAF.

51. Prior to the preparation of the UNDAF, the country team, with the support of OHCHR, prepared a common country analysis with a particular focus on the different types of vulnerability that people in Nepal face, as well as the root causes of the vulnerabilities. The aim was ultimately to help narrow down the potential policy and institutional issues that could form the core of the development efforts undertaken by the United Nations in Nepal. The country team used the analysis to understand the situation of vulnerable groups in the country, examine the structural causes of the vulnerabilities and gain a better understanding of which groups are particularly susceptible to future shocks that could substantially reverse the development gains achieved over recent years.

52. In order to gain a deeper understanding of the issue, the country analysis looked at specific groups of people, whose vulnerability was described on the basis of the experience and expertise of United Nations development actors. As a result, the following 19 groups were incorporated in the UNDAF design: women subject to sexual abuse and exploitation; women in the mid and far west; women of reproductive age; adolescent girls; endangered and highly marginalized indigenous people; other disadvantaged women and girls; Dalits; persons with disabilities; children without basic education; undernourished children; underemployed and unemployed youth; migrant workers and their families; rural landless and land-poor; bonded and forced labourers; urban slum dwellers and squatters; conflict-affected people; the illiterate; people from the lowest performing districts; and people from areas especially vulnerable to climate change. For each group, a detailed profile was prepared and reviewed with a wide range of stakeholders. The emphasis of the profiles was an analysis of the underlying causes of each group's vulnerability. An aggregate analysis was developed aimed at identifying, thematizing and categorizing the groups' characteristics and, perhaps most importantly, finding commonalities in the underlying causes of their vulnerabilities.

53. While social inclusion is the main thread linking all the efforts undertaken by the United Nations under UNDAF, specific programmes are designed and implemented that ensure the employment of targeted approaches to reach and have an impact on the lives of the 19 vulnerable groups that have been identified, and to promote their participation in decision-making processes. The United Nations actively contributed to the State's efforts to ensure that its policies are implemented in an inclusive manner, with due regard to gender considerations as well as the particular interests of marginalized regions and communities.

Uganda: multi-stakeholder dialogue on rights-based approaches to maternal and child mortality

54. High mortality rates among women and young children remain a major challenge in Uganda. The country also has one of the highest adolescent pregnancy rates in the world.

55. Since 2013, the OHCHR office in Uganda, together with the United Nations Population Fund (UNFPA) and the Ministry of Health, has been supporting a multi-stakeholder dialogue aimed at promoting a human rights-based, participatory and inclusive approach in the national effort to reduce maternal and child morbidity and mortality. The initiative began with a regional workshop, held in Malawi in November 2013, which convened representatives of governments, national human rights institutions, civil society and United Nations entities from Malawi, South Africa, Uganda and the United Republic of Tanzania to explore ways to apply rights-based approaches to maternal and child mortality in their respective national contexts.

56. In follow-up to the workshop, OHCHR commissioned an assessment of the health and human rights situations of women and children in Uganda, and presented it in November 2014 to a national-level multi-stakeholder group organized in Kampala jointly with UNFPA, the World Health Organization and the Ministry of Health. In addition to representatives of the Ministry of Gender, Labour and Social Development, the Ministry of Finance and the Office of the First Lady, and district-level officials, the group also included parliamentarians, representatives of private health-care providers, civil society, the Uganda Human Rights Commission and the United Nations. The group considered the main findings of the OHCHR assessment and identified action points to support maternal and child health, including: advocacy for law reform and implementation of legislation (Penal Law, Marriage and Divorce Act and Death Registration Act); advocacy for greater participation in the State budget process; generation of more and better quality disaggregated data; and inclusion of human rights training in the curricula for health workers. The Government of Uganda committed itself to integrating human rights into upcoming planning activities, including the preparation of the National Development Plan.

57. The process has been helpful in bringing a wide range of stakeholders together and has served to raise awareness among civil society and government authorities concerning more fully embracing an inclusive and participatory approach to planning and decision-making. It is expected that the methodologies tested and developed under the project may become part of the standard national planning process and be replicated in other sectors.

United Republic of Tanzania: combating the exclusion of and violence against people with albinism

58. In the United Republic of Tanzania, people with albinism have long faced discrimination, exclusion and outright rejection by their families and society at large. Many also suffer from physical violence, as they are hunted down, mutilated and their amputated body parts used in witchcraft rituals. That extreme social exclusion has a devastating impact on children with albinism, who often find themselves unable to attend school because of discrimination, bullying and violence.

59. The authorities have taken measures to combat those crimes, and special centres have been set up under the auspices of civil society to provide safe havens for children with albinism. While welcoming those steps, OHCHR has continued to voice concern about the risk of isolation and institutionalization of those children, and emphasized the urgent need to reinforce the justice system in response to those crimes. People with albinism are often unable to access justice for the crimes committed against them and unwilling to testify for fear of reprisal and further victimization.

60. The Human Rights Adviser to the United Nations country team[1] has helped raise awareness of the situation and promote a common understanding among the Government, the National Human Rights Institute, civil society and the United Nations on the need for a concerted and human rights-based approach to address the issue. A strong United Nations strategy for the protection and promotion of the rights of persons with albinism is being developed, with a concrete action plan and monitoring framework, to complement the Government's efforts.

61. Violence against people with albinism is not specific to the United Republic of Tanzania. Since 2000, OHCHR has received information about more than 200 ritual attacks in 15 African States. It is believed that many attacks remain undocumented and unreported, owing to the stigma and secretiveness involved.

Zambia: promoting social inclusion of the Abatwa indigenous community

62. The Abatwa indigenous community in Zambia has long been subjected to discrimination, social exclusion and poverty. In an effort to raise awareness about that situation, the United Nations Resident Coordinator and the United Nations country team initiated a project with the Office of the Vice-President of Zambia to produce a film documenting the situation of the Abatwa community. The Human Rights Adviser to the country team[1] provided guidance in order to ensure that the film would focus on the many challenges facing the Abatwa community in terms of marginalization and discrimination, and on the urgent need to ensure their participation in key decision-making. The documentary looks at the situation of the Abatwa from a human rights perspective and has become an important awareness-raising tool illustrating the deprivation and exclusion to which the Abatwa have been subjected. It has also helped identify priority areas for United Nations support to the Government to better address the situation of that vulnerable community.

C. Transparency, accountability and access to information

Ecuador: atlas of socioeconomic inequalities

63. Between 2011 and 2013, at the request of the Government of Ecuador, OHCHR and the National Secretariat for Planning and Development (SENPLADES) engaged in close collaboration to strengthen the integration of human rights into the national development programme. The work resulted in the adoption of guidelines for the development of sectoral public policy and guidelines for the integration of a human rights-based approach into the national development plan and the development of an atlas of socioeconomic inequalities.

64. The atlas of socioeconomic inequalities, launched in 2013, was the result of close cooperation between SENPLADES, OHCHR and other United Nations entities, the Centro de Planificación y Estudio Social (Centre for Planning and Social Studies) and the Universidad Andina Simón Bolívar. The atlas is an innovative database that maps gaps in the realization of economic, social and cultural rights, and provides disaggregated data on a wide range of determinants, including ethnicity, sex, gender, age and region. The information contained in the atlas has made it possible to develop new social indicators that are better suited to measure poverty from a multidimensional perspective. The atlas served as a baseline for the National Strategy for Poverty Eradication and also provides data for the implementation of the National Development Plan for the period 2014–2017. The intention is to use the atlas in the years to come as a guide in the formulation and implementation of targeted policies aimed at addressing persistent inequalities in Ecuador.

Haiti: building capacity to monitor economic, social and cultural rights

65. Since 2009, the Human Rights Section of the United Nations Stabilization Mission in Haiti (MINUSTAH) has been carrying out an innovative programme to develop the capacity of civil society in several disadvantaged regions to monitor and advocate for economic, social and cultural rights. The main objectives of the public policy monitoring project were to encourage dialogue between the authorities and civil society on public policy priorities from a human rights-based approach, and to strengthen the capacity of civil society organizations to participate in decision-making and in the development and monitoring of public policies and budgets.

66. The project has enhanced civil society's exposure to public decision-making and contributed to more open and regular information-sharing between it and the local and national authorities. The overall response of the Government has been positive, with the active participation of ministers and parliamentarians. The findings and recommendations emanating from the project were taken into account in the national budget process for 2012–2013.

67. In some cases, the project has been hampered by weak capacities and a lack of coordination and cooperation among State agencies. Access to public documents and information also proved challenging at times, especially outside the capital. The Human Rights Section of MINUSTAH is evaluating the project and working with the Government, civil society and the United Nations system to explore ways to extend it to other parts of the country.

Tunisia: strengthening civil society capacities to monitor the implementation of economic, social and cultural rights

68. Since 2012, the OHCHR office in Tunisia, in partnership with Amnesty International, has organized a series of training sessions outside the capital to build the capacity of civil society actors working in disadvantaged regions to better assess the implementation of economic, social and cultural rights. That has included training on advocacy, campaign methodology and human rights-based budget analysis. In 2013, around 300 human rights defenders and representatives of civil society from across the country took part in those activities. Four regional civil society coalitions have been set up in the regions of the north-west, the centre, the south-east and the Gafsa Mining Basin. They have launched a national campaign for the ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and have conducted human rights assessments of the local budgets, with the participation of local mayors.

IV. Lessons learned, challenges and the way forward

69. The examples presented in the present report highlight common traits and methodologies that have proved helpful in supporting programmes for human rights-based, inclusive and participatory development and poverty reduction. Most of the key determinants for success that have been identified are related to national ownership — the projects have been planned and implemented at the request of national actors and in a way that ensures accountability, transparency and the meaningful participation of all relevant stakeholders. In that regard, experience has shown that it is crucial for all relevant State and non-State stakeholders to participate in all stages of those initiatives, starting from the initial conceptualization, through implementation, monitoring and evaluation. Such participation is all the more important when it comes to planning and decision-making that involve multiple sectors and require the expertise of a variety of ministries and institutions, such as in the implementation of multisectoral development and poverty-reduction

strategies. In that regard, a human rights-based approach can help to ensure policy coherence, including by highlighting the interrelatedness and interdependence of civil, political, economic, social and cultural rights.

70. Women are particularly at risk of social exclusion as they are often exposed to multiple forms of discrimination based on gender, ethnicity or socioeconomic status. Special measures are needed in order for women to be ensured equal rights to fully participate in public life in general and in decision-making that affects them specifically.

71. In order to strengthen monitoring, accountability and transparency, there is often a need to build capacities for the collection and analysis of detailed and disaggregated information, and to develop human rights indicators. Such data are crucial to identify gaps and disparities that are based on key social determinants, including gender, ethnicity, economic status and geographic location. Free access to current data can allow the public to monitor progress in the implementation of human rights through development and poverty-reduction programmes. Experiences in developing indicator frameworks that are specifically tailored to local circumstances show particular promise in that regard.

72. Promoting the integration of human rights in national budget processes has become an increasingly important area of work for OHCHR. The promotion and protection of all human rights require budgetary resources and, in the case of economic, social and cultural rights, Member States are obliged to provide "maximum available resources" to "progressively realize" those rights. Government budgets are fundamental tools for policy implementation and an effective way to ascertain whether national development priorities are being implemented. Budget monitoring, analysis and advocacy, from a human rights perspective, have the potential to provide concrete evidence of governments' efforts to respect, protect and fulfil all human rights for all without discrimination.

73. The experience of OHCHR also shows that, while participatory and inclusive processes are essential for sustainable and effective development, they are also inherently complex and demanding for all parties concerned. Any initiative aimed at engaging a wide range of stakeholders with varying claims and interests must therefore factor in sufficient time and resources to build the awareness and capacities of rights-holders and duty-bearers to fully assume their respective roles in an informed and responsive manner. Such processes also require resilience, preparedness to commit and willingness to engage in positive and effective communication with a diverse range of counterparts. The work of OHCHR on reducing institutional care of persons with disabilities has generated useful examples of how national law and practice can be reformed through open and inclusive processes. Perhaps most importantly, meaningful participation and inclusion obviously need to go beyond mere information sharing or consultations, and require the empowerment of people to take an active part in decision-making, so as to ensure that poorly conceived participation exercises are not used to legitimize predetermined outcomes. In that regard, OHCHR has in many instances taken a facilitating role and managed to bring rights-holders and duty-bearers together to discuss and address often complex human rights issues. Those experiences show that empowerment and confidence-building need to go hand in hand in order to address discrimination and cultural barriers that prevent effective participation by marginalized groups, such as indigenous communities and vulnerable minorities.